



RESPONSE - NOTICE
OF MISSING PARTS
PATENT
Atty Docket No.: A33474-PCT-USA-A - 068528.0103

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Higuchi *et al*
Serial No. : 10/086,913 Examiner : (to be assigned)
Filed : March 1, 2002 Group Art Unit : 1614
For : PREVENTION AND TREATMENT OF MYCOPLASMA-
ASSOCIATED DISEASES

**RESPONSE TO NOTICE TO FILE MISSING
PARTS OF APPLICATION UNDER 37 C.F.R. 1.53(f)**

BY EXPRESS MAIL - LABEL NO.: ET346773305US

September 27, 2002

Assistant Commissioner for Patents
Box Missing Parts
Washington, DC 20231

Sir:

Responsive to a Notice to File Missing Parts of Nonprovisional Application under 37 C.F.R. 1.53 (b) dated April 1, 2002, a copy of which is enclosed, is a Combined Declaration and Power of Attorney referring to the above-identified application by one or more of the following in compliance with 37 C.F.R. 1.63:

- Name of inventor and application serial number;
- Name of inventor, attorney docket number which was on the application as filed, and filing date of the application;
- Name of inventor, title of invention and filing date;
- Name of inventor, title of invention and reference to a specification which is attached to the oath or declaration at the time of execution and filed with the oath or declaration;
- Name of inventor, title of invention. As presently advised, the undersigned, a registered attorney, states that the application filed in the PTO is the application which the inventor executed by signing the oath or declaration.

Adjustment Date: 10/04/2002 YPOLITE2
10/02/2002 YPOLITE1 00000023 024377 10086913
02 FC:118 720.00 CR -720.00 OP

Also enclosed are:

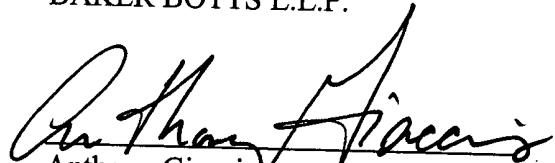
1. A fee payment in the amount of \$ 130.00
 \$130 - Other than Small Entity
 \$ 65 - Small Entity
representing payment of the surcharge
due for late filing of the Declaration
pursuant to 37 C.F.R. 1.16(e);
2. A four-month extension of time to file the Response
to Missing Parts is respectfully requested.
The required fee, calculated pursuant to
1.136(a), is enclosed in the amount of \$720.00
3. Other
\$

TOTAL FEE \$850.00

Enclosed is a check for \$850.00 in payment of the above-specified fees.

The Commissioner is hereby authorized to charge any additional fees associated with this communication to Deposit Account No. 02-4377. A duplicate copy of this sheet is enclosed.

Respectfully submitted,
BAKER BOTTS L.L.P.



Anthony Giaccio
Patent Office Reg. No. 39,684

Attorney for Applicant
(212) 408-2500

#5



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/086,913	03/01/2002	Maria de Lourdes Higuchi	A33474-PCT-USA-A-068528.0

CONFIRMATION NO. 1698

FORMALITIES LETTER



OC000000007754103

BAKER BOTTS L.L.P.
 30 ROCKEFELLER PLAZA
 44TH FLOOR
 NEW YORK, NY 10112-0228

Date Mailed: 04/01/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

| Refund Ref:
 10/04/2002 YPOLITE1 0000121478 ME

CHECK Refund Total: \$65.00

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

10/02/2002 YPOLITE1-0000000023-024377 10086913
 10/02/2002 YPOLITE1-00000023-024377 10086913
 01-FC-1405 150.00-00
 01-FC-1405 65.00-00
 01-FC-1405 750.00-00